

IC 12-10-14

Chapter 14. Representative Payees and Bill Payers

IC 12-10-14-1

"Bill payer" defined

Sec. 1. As used in this chapter, "bill payer" means a person appointed by the bureau under this chapter to provide one (1) or more of the following services in order to assist a low income individual who is able to make responsible decisions about financial matters but needs assistance:

- (1) Paying bills each month and keeping records.
- (2) Establishing a budget.
- (3) Opening, organizing, and sending out mail.
- (4) Assisting the individual in check writing, with all checks to be signed by the individual.
- (5) Balancing checkbooks.
- (6) Making referrals to other agencies when necessary.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-2

"Representative payee" defined

Sec. 2. As used in this chapter, "representative payee" means a person appointed by the United States Social Security Administration, the United States Office of Personnel Management, the United States Department of Veterans Affairs, or the United States Railroad Retirement Board to provide one (1) or more of the following financial management services in order to assist an individual who is receiving government benefits and is medically incapable of making responsible financial decisions:

- (1) Spending benefits received by the individual in the individual's best interests as necessary to provide for food, shelter, utilities, medical care, and personal needs.
- (2) Keeping an accurate record of all financial transactions.
- (3) Maintaining control over the individual's benefits and signing all checks for the individual's expenditures.
- (4) Referring the individual to other agencies if the individual needs additional assistance.

As added by P.L.141-1993, SEC.1. Amended by P.L.24-1997, SEC.30.

IC 12-10-14-3

Establishment of program; eligibility

Sec. 3. The division may establish, within the bureau, a representative payee and bill payer program to assist low income individuals who:

- (1) are not able to manage their financial matters; and
- (2) do not have relatives or friends to assist them in managing their financial matters.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-4**Administration of program**

Sec. 4. The bureau may administer the program. The bureau may provide staff and logistical support for the program, including office space, telephone communications, office supplies, and postage.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-5**Training**

Sec. 5. The bureau may provide for the training of representative payees and bill payers.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-6 Repealed

(Repealed by P.L.24-1997, SEC.66.)

IC 12-10-14-7**Assistance to representative payees and bill payers; bank services**

Sec. 7. The bureau may assist representative payees and bill payers and may negotiate bank services for the program.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-8**Public liaisons; spreading of information; referral of potential clients**

Sec. 8. The bureau may designate volunteers, who may be representative payees or bill payers, as public liaisons to inform interested agencies and persons about the program and to undertake to increase public awareness of the program and referral of potential clients to the program.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-9**Fiduciary duties of representative payees and bill payers**

Sec. 9. A person acting as a representative payee or a bill payer is considered to be acting in a fiduciary capacity and is liable for acts or omissions constituting a breach of fiduciary duties imposed by law.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-10**Legal counsel**

Sec. 10. The bureau may enter into a memorandum of understanding with legal counsel for an association that represents the interests of retired persons to obtain assistance for the representative payee and bill payer program.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-11**Local programs; sponsors and coordinators; training, assistance,**

and monitoring by bureau

Sec. 11. (a) The bureau may enter into memoranda of understanding with local representative payee and bill payer program sponsors allowing local sponsors to administer a local representative payee and bill payer program with the bureau assisting and monitoring the local program sponsor.

(b) The bureau may designate a local program sponsor with a local coordinator to assist in the administration of a local program. A local program sponsor designated under this subsection must have a local advisory council.

(c) The bureau may provide training and technical assistance to local coordinators and local program sponsors.

As added by P.L.141-1993, SEC.1.

IC 12-10-14-12

Monitoring, audits, and review of accounts

Sec. 12. The bureau may do any of the following:

(1) Monitor:

(A) representative payees and bill payers; and

(B) local program sponsors.

(2) Audit any transaction of a representative payee and bill payer.

(3) Review bank statements and cancelled checks for accounts managed by representative payees.

As added by P.L.141-1993, SEC.1.